

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 22, 2023

SEAN F. McAVOY, CLERK

U.S.A. vs. Holland, Nichole Diane Docket No. 0980 4:22CR06056-SAB-2

Petition for Action on Conditions of Pretrial Release

COMES NOW Elizabeth Lee, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Nichole Diane Holland, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the court at Spokane, Washington, on the 20th day of January 2023, under the following conditions:

Standard Condition # 9: Defendant shall refrain from the use of unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

Additional Conditions # 15: Prohibited Substance Testing: If random urinalysis testing is not done through a treatment program, random urinalysis testing shall be conducted through Pretrial Services, and shall not exceed six (6) times per month. Defendant shall submit to any method of testing required by the Pretrial Service Office for determining whether the Defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

On January 20, 2023, conditions of pretrial release supervision were reviewed with Ms. Holland. On January 23, 2023, all the conditions of pretrial release were reviewed with Ms. Holland. Ms. Holland signed a copy of her conditions and she was provided with a copy. Ms. Holland was referred to Merit Resource Services (Merit) for substance abuse services and drug testing.

Violation #1: Nichole Diane Holland is alleged to be in violation of her pretrial release conditions by having used a controlled substance, methamphetamine, on or before January 23, 2023.

On January 23, 2023, Ms. Holland reported to the probation office as required and completed a drug test. This drug test was presumptive positive for methamphetamine and amphetamine. Ms. Holland denied any drug use. The drug test was sent to Abbott Laboratory for confirmation. Probation later received the drug test report on February 1, 2023, confirming a positive result for methamphetamine.

Violation #2: Nichole Diane Holland is alleged to be in violation of her pretrial release conditions by failing to report for drug testing on or about February 16, 2023.

On January 23, 2023, Ms. Holland was instructed to call the color line daily, Monday-Friday, and to report to Merit for drug testing if her assigned color, gold, was called.

On February 17, 2023, Merit reported Ms. Holland failed to report for drug testing as required the previous day on February 16, 2023. The undersigned officer made telephonic contact with Ms. Holland and instructed her to report to the pretrial services office this same date for drug testing. Ms. Holland reported she called the color line the previous day and she did not hear her assigned color called. Ms. Holland reported as instructed and completed a drug test with negative results.

Re: Holland, Nichole Diane

February 21, 2023

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PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: February 21, 2023

by s/Elizabeth Lee

Elizabeth Lee
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this
petition with the other violations pending before the
Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

February 22, 2023

Date